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July 8, 2004

**VIA FACSIMILE AND PERSONAL SERVICE**

The President  
The White House  
1600 Pennsylvania Avenue NW  
Washington D.C. 20500

The Honorable Spencer Abraham  
Secretary of Energy  
U.S. Department of Energy  
1000 Independence Avenue SW  
Washington D.C. 20585

The Honorable John Ashcroft  
U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington D.C. 20530-0001

RE: **CERCLA 60 Day Prior Notice of Citizen Suit: Hanford Washington Nuclear  
Reservation National Priority List Sites**

Dear Mr. President, Secretary Abraham, and Attorney General Ashcroft:

Pursuant to 42 U.S.C. § 9659(2), the states of Washington and Oregon have identified the United States of America and the United States Department of Energy as parties owing a non-discretionary duty to “assess damages for injury to, destruction of, or loss of natural resources” in the manner required by 42 U.S.C. § 9607(f)(2)(A) with respect to all of the facilities listed on the federal National Priority List within the Hanford, Washington Nuclear Reservation.

By this letter, you are hereby notified pursuant to both 42 U.S.C. § 9659(a)(2) and § 9659(e), that the states of Oregon and Washington intend to seek an order requiring the performance of an assessment of injuries to natural resources at the Hanford Nuclear Reservation in accordance with 42 U.S.C. § 9607(f)(2)(A). Oregon and Washington will also seek to recover “costs of litigation” to the extent allowed pursuant to 42 U.S.C. § 9659(f).

The President  
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In conformance with 40 C.F.R. § 374.3(b):

A. The agency failing to perform the duty is the United States Department of Energy. The name and title of the officers failing to perform their duty are:

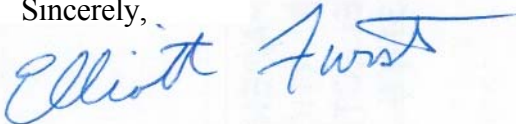
(1) Spencer Abraham, Secretary of Energy, (2) Keith Klein, Manager, U.S. Department of Energy, Richland Operations Office, and (3) Roy Schepens, Manager, U.S. Department of Energy, Office of River Protection.

B. The specific duty not performed is an assessment of injuries to natural resources at the Hanford Nuclear Reservation, as required by 42 U.S.C. § 9607(f)(2)(A).

C. The "persons" giving the notice are the states of Oregon and Washington.

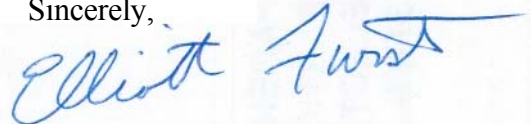
Copies of this notice have been forwarded to the other Hanford Natural Resource Trustees. By this letter, you are also invited to contact either Oregon or Washington to initiate settlement discussions in this matter. For this purpose, and in conformance with 40 C.F.R. § 374.3(c), or for any questions you may have, please contact either attorney listed below. David Leith can be reached at (503) 378-6313. His address is 1162 Court St. NE, Salem, OR 97301-4096. Elliott Furst can be reached at (360) 586-3513. His address is P.O. Box 40117, Olympia, Washington 98504-0117.

Sincerely,



ELLIOTT FURST  
Senior Counsel  
Attorney General of Washington

Sincerely,



for DAVID LEITH  
Assistant Attorney General  
Oregon Department of Justice

EF/DL/dmm

cc: Raymond C. Givens, Attorney for Yakama Indian Nation  
J.D. Williams, Attorney for Umatilla Tribe  
Howard Arnett, Attorney for Warm Springs Tribe  
David Cummings, Attorney for Nez Perce Tribe  
Cynthia J. Morris, Trial Attorney, U.S. Department of Justice  
Linda Hoffman, Director, Washington Department of Ecology  
Michael W. Graine, Director, Oregon Department of Energy  
U.S. Department of Interior  
U.S. Environmental Protection Agency  
U.S. Department of Commerce